

**ARIZONA DEPARTMENT OF HEALTH SERVICES
DIVISION OF LICENSING SERVICES
Office of Long-Term Care Licensing
150 North 18th Ave, Suite 440, Phoenix, AZ 85007
400 W. Congress, Tucson, AZ 85701**

A CONSUMER'S GUIDE TO NURSING HOMES

I. GENERAL INFORMATION

All nursing homes in Arizona are licensed by the state through the Office of Long-Term Care Licensing in the Division of Licensing Services, under the Arizona Department of Health Services. State law requires that a nursing home conspicuously post its license. The law also requires that nursing home administrators be licensed. Nursing homes provide services to residents who require continuous medical and nursing care and supervision due to physical and/or mental disability.

In addition to state licensing, nursing homes may be certified to provide services to eligible Medicare and Medicaid beneficiaries and in order to do so, nursing homes must meet federal regulations. The Office of Long-Term Care Licensing enforces state and federal regulations of nursing homes by conducting regular surveys and by investigating complaints.

Nursing homes are operated by for-profit and non-profit organizations and vary in size and offer different programs. All nursing homes provide long term care services to chronically ill persons, including those with chronic mental illness. Many nursing homes also offer short term rehabilitative services (such as those needed to help people continue to recover from recent hospitalization) and special units for people with Alzheimer's Disease or other types of dementia.

II. CHOOSING A NURSING HOME

When choosing a nursing home, it is important to decide on the location and types of services that will be needed by the prospective resident. Locating a nursing home that provides the services and atmosphere a person needs and prefers, takes time and effort, as well as information. When you consider that the facility becomes a person's home and community for as long as the person remains there, the search is necessary and worthwhile.

Discuss the situation with other family members, including the person needing the care. If you are faced with having to move someone from a hospital to a nursing home, talk to the hospital's discharge planner or social worker. Other sources of information include your physician, the clergy and religious organizations, volunteer groups that work with the elderly and chronically ill and nursing home professional associations (see **Contact Information** below) and the Office of Long Term Care Licensing.

Make a list of nursing homes in your area that seem to fit the needs and preferences of the person needing care. The more choices you have, the better your chances of making the best selection. Homes can be eliminated from your list by making a few telephone calls to determine whether a nursing home actually provides the kind of care that is needed, and if needed, whether it participates in Medicare or Medicaid. Not all facilities will have vacancies for new residents.

Nothing is more important in choosing a nursing home than visiting those under consideration. When you visit, be aware of sights, sounds and smells, and trust your instincts. It is important to observe how staff and residents interact with one another; how residents relate to one another; whether or not the environment is "homelike" and how clean and safe the home appears.

It is preferable to visit the facility more than once and at different times of the day. One visit should be during late morning or midday so you can observe the noon meal being served. Another visit should be during the afternoon to observe activities being offered. Another time to visit would be during the evening meal. Plan to spend at least one hour at each visit. It may be best to make an appointment to meet with the administrator the first time you visit the facility to explain the purpose of your visit. Following a guided tour, talk to residents and observe conditions by yourself without facility staff being present. Ask to see the latest state survey (inspection) report and the facility's plan of correction. The ***Nursing Home Checklist*** (attached) will help you regarding what to look for.

People who enter nursing homes do not leave their individual personalities or basic human rights behind. Nor do they lose their need for friendliness, encouragement and respect. A nursing home that treats residents like people and tries to satisfy their emotional, as well as physical needs, helps sick people to get better and healthy people to stay well.

III. OBTAINING A LIST/COMPARING NURSING HOMES

Access the U.S. Department of Health & Human Services, Health Care Financing Administration, Web Site at <http://www.medicare.gov/NHCompare/home.asp> to obtain a list of all nursing homes by state. Once you have pulled up Arizona, you can refine the search by choosing the entire state, a county, city, zip code, or a particular nursing home. When the list has been narrowed, you may then specify one of the following in English or Spanish: 1) About the Nursing Home: including the number of beds and type of ownership.; 2) About the Residents in the Nursing Home: including the percent of residents with pressure sores, percent of residents with urinary incontinence and more; 3) About the Nursing Home Inspection Results: including summary results from the last state nursing home inspection, and 4) About Nursing Home Staff: including the number of registered nurses, licensed practical or vocational nurses, and nursing assistants in each nursing home.

Contact the Arizona Department of Health Services, Division of Licensure Services
Phoenix: 150 North 18th Avenue, Suite 440, Phoenix, AZ 85007 602/364-2690
Tucson: 400 West Congress, Tucson, AZ 85701 520/628-6965.

Access the Division of Licensure Services Web Site at <http://www.hs.state.az.us/als/index.html> to obtain information on long-term care facilities (Provider Databases); Consumer Guides, and State rules and laws.

IV PUBLIC FILES

The Office of Long-Term Care Licensing State files of nursing facilities are open for public inspection in either its Phoenix or Tucson office from 8:00 a.m. until 5:00 p.m. Monday through Friday. The files contain: facility license, quality rating, statement of deficiencies, list of services provided, staffing information, fire and food inspection reports, information on substantiated complaints (without confidential resident information or name of complainant), field trip reports (without confidential resident information) and general information such as facility ownership, permits and waivers.

V. YOUR RIGHTS AS A RESIDENT IN A NURSING HOME

The following summarizes specific rights you have as a nursing home resident as provided by Federal and Arizona State statutes, rules and regulations.

Basic Rights:

- To be treated with respect and dignity in full recognition of your individuality.
- Dignified existence and self-determination.
- Freedom from interference, coercion, discrimination and reprisal.

Admission Rights:

- The nursing home must inform you or your representative of all of your rights in a language or manner which you understand.
- The nursing home must inform you of its rules governing your conduct and your rights in a language or manner which you understand.
- The nursing home must provide written notice of your entitlement to Medicaid benefits and information on how to apply for and use Medicare and Medicaid benefits.
- The nursing home must provide you with written information on your right to make advance directives and its policies for implementation of advance directives.
- You cannot be required to pay a cash deposit or pay a pre-payment, if you are covered by Medicare or Medicaid.

Freedom From Restraint and Abuse Rights:

Be free from chemical and physical restraints that are not used to treat medical symptoms but for the purpose of discipline or staff convenience.

- Be free from verbal, sexual, physical and mental abuse, corporal punishment and involuntary seclusion.
- Be free from interference, coercion, discrimination and reprisal from the facility in exercising your rights.

Visits-Privacy-Confidentiality Rights:

- Privacy in your room and during medical treatment.
- Privacy during your visits or meetings, in making telephone calls and with your mail.
- Confidentiality of financial and medical records and the release of such records only through written consent unless permitted by law.
- Access to those who provide health, social, legal or other services.

Quality of Life in the Nursing Home Rights:

- Submit grievances to facility staff and outside representatives without restraint.
- Contact and receive information from client advocates.
- Immediate access to and communication with any individuals, organizations or agencies.
- Choose activities, schedules and health care consistent with your interests and assessment.
- Organize and participate in facility resident and family groups.
- Participate in social, religious, political and community activities.

Living Accommodations and Care Rights:

- Share a room with your spouse, if space is available and both parties agree.
- Be informed before a room or roommate change.
- Refuse a transfer to another room for relocation purposes.

Protect Your Money and Possessions Rights:

- Manage your own personal financial affairs.
- The nursing home may not require you to deposit your personal funds with the nursing home.
- Authorize the nursing home to manage your personal funds and to receive regular accounting of those funds.
- Retain and use personal possessions.

Medical Care and Treatment Rights:

- Receive services which accommodate, within reason, your individual needs and preferences.
- Be fully informed of your health status and medical conditions.
- Choose your personal doctor.
- Participate in planning or changing your care and treatment.
- Refuse treatment or withdraw consent for treatment.
- Refuse to participate in experimental research.
- Have access to all your records within 24 hours.
- Select a pharmacy in compliance with facility standards.
- Purchase copies of your facility records within 2 working days' notice.

Transfer and Discharge Rights:

- Be notified in writing 30 days prior to transfer or discharge from the nursing home.

Other Rights:

- Examine the results of the most recent facility survey and any plan of correction in effect.
- Perform or refuse to perform services for the facility.
- Be informed, in writing, of rates, charges and changes 60 days prior to any change.

VI. HELP IN PROTECTING YOUR RIGHTS - THE LONG TERM CARE OMBUDSMAN PROGRAM.

The Long Term Care Ombudsman Program's primary purpose is to improve the quality of life, care and environment for long term care residents. This includes education as to your legal rights and maintenance of your dignity and personal freedom. In addition, the ombudsman program identifies problems and concerns of older persons receiving long-term care services and recommends changes in the long term care system, which will benefit these individuals as a group.

The function of the Long Term Care Ombudsman Program is specifically to assist consumers of long-term care services toward resolution of complaints related to the provision of such services. Often residents of long-term care facilities have problems, large or small that can readily be solved, but they do not know how to voice them.

They are unaware of what services are available or exactly what their rights are so they remain silent. The Long Term Care Ombudsman Program is an attempt to provide residents a method by which their complaints can be heard and resolved, if possible. The ombudsman serves as a companion, mediator, broker, educator and advocate in his/her role to resolve complaints. The program goals are accomplished through a cooperative approach among providers, regulators, residents, families and the ombudsman.

Certified ombudsmen visit licensed long term care facilities. They establish relationships with staff and residents, and are available to help resolve problems that arise in the course of daily living. Anyone (residents, relatives, friends or even the staff of a facility) may initiate a complaint on behalf of a resident. Often residents are unable to do it themselves. Only as mutually agreed upon between the ombudsman and the resident or the resident's legal representative, the ombudsman will make every reasonable effort to assist, represent and intervene on behalf of the resident.

To contact the State Long Term Care Ombudsman:

If you have a problem or concern or wish more information about the ombudsman program, contact the State Ombudsman at:

Arizona State Long Term Care Ombudsman
1789 West Jefferson - 950A
Phoenix, Arizona 85007
(602) 542-4446

VII. CONTACT INFORMATION**1) Licensure, certification, regulation, complaint investigations**

Office of Long-Term Care Licensing
Arizona Department of Health Services

Phoenix

150 North 18th Avenue, Suite 440
Phoenix, Arizona 85007
602/364-2690

Tucson

400 West Congress
Tucson, Arizona 85701
520/628-6965

- 2) **Additional Information on Nursing Homes:**
 Arizona Association for Homes and Housing for the Aging
 3839 North 3rd Street, Suite 201
 Phoenix, Arizona 85012
 602/230-0026
- Arizona Health Care Association
 5020 North 8th Place, Suite A
 Phoenix, Arizona 85018
 602/265-5331
- 3) **Elder Abuse Complaints:**
 Arizona Department of Economic Security
 Aging and Adult Administration
 Adult Protective Services
 TOLL FREE 24-HOUR: 1-877-767-2385
- PHOENIX:** 1122 N. 7th Street, Suite 205
 Phoenix, Arizona 85006
 602/255-0996 Fax:(602)420-9306
- TUCSON:** 4601 E. Fort Lowell, Ste. 300
 Tucson, Arizona 85712
 520/881-4066 Fax: 520/881-8232
- FLAGSTAFF:** 397 Malpais Lane
 Flagstaff, Arizona 86001
 520/779-6141 Fax: 520/773-1027
- YUMA:** 1220 S. Fourth Ave.
 Yuma, Arizona 85364
 502/782-9255 Fax: 520/343-0232
- CASA GRANDE:** 2510 North Trell Road
 Casa Grande, Arizona 85222
 520/836-2351 Fax:(520)426-9023
- SAFFORD:** 1938 Thatcher Boulevard
 Safford, Arizona 85546
 520/428-7702 Fax: 520/428-6578
- 4) **Complaints against Nursing Home Administrators:**
 Nursing Care Institution Administrators Examiners and Assisted Living Managers
 1400 W. Washington Street, Room 230
 Phoenix, Arizona 85007
 602/542-3095
- 5) **Complaints against Health Professionals:**
 Nurses: Arizona State Board of Nursing
 1651 East Morten Avenue, Suite 150
 Phoenix, Arizona 85020
 602/331-8111
- Certified Nursing Assistants:
 Arizona Department of Health Services
 Division of Licensing Services
 Office of Long Term Care Services
 150 North 18th Avenue, Suite 440
 Phoenix, Arizona 85007
 602/364-2690
- 400 West Congress
 Tucson, Arizona 85701
 520/628-6965
- Physicians/Physician Assistants:
 Board of Medical Examiners
 9545 East Double Tree Ranch Road
 Scottsdale, Arizona 85258
 480/551-2700
- Pharmacists: Pharmacy Board
 5060 N. 19th Avenue, Suite 101
 Phoenix, Arizona 85015
 Phoenix: (602) 255-5125
 Tucson: (520) 628-6303

6) **Elder Affairs Program – Arizona Attorney General**

The Elder Affairs Program (EAP) is an advocacy-oriented program which works to protect the legal rights of older adults in the areas of consumer protection, elder abuse, neglect, and financial exploitation. The program:

- Provides direct advocacy and mediation services to consumers to resolve disputes with businesses.
- Communicates with and makes case referrals to the Consumer Protection and Advocacy Section and Criminal Division of the Attorney General's Office and numerous state regulatory agencies that oversee specific professions, occupations or services.
- Conducts and coordinates educational programs and seminars for the general public, senior citizens' organizations, and professional associations serving incapacitated and vulnerable adults.
- Develops and produces resource materials including a Telephone Mediation Manual, a Manual on Preventing Financial Exploitation and the Consumer Fraud Speaker's Bureau Handbook.
- Maintains the Elder Abuse Registry which contains information on civil complaints and criminal charges brought against individuals and agencies for abuse, neglect, financial exploitation and numerous other criminal acts. The Registry lists the name of the alleged abuser and/or institution, court number, type of violation and status of case. The public can request information on a specific person or institution by submitting a written request to the EAP office (see next paragraph for contact information).

To file a complaint with the elder affairs program:

To file a complaint about possible consumer fraud or elder exploitation, follow the process for filing a complaint with the Consumer Protection Section on the Attorney General's Web Site at <http://www.attorneygeneral.state.az.us> or write a letter explaining the problem and the events as they took place. Copies of any documentation supporting your complaint should also be attached. Send this information to:

OFFICE OF THE ATTORNEY GENERAL
Consumer Information and Complaints
1275 West Washington
Phoenix, Arizona 85007-2926
Telephone: 602/542-5763 or 1-800-352-8431
Fax: 602/542-4579

7) **AGING AND ADULT SERVICES:**

Please visit the Web Site of the Arizona Department of Economic Security, Aging and Adult Services at <http://www.de.state.az.us/links/aaa> for a list of services and links to other services for the aging and adult population. Please also visit the Web Site to see a list of Web Sites on aging issues and services.

8) **ARIZONA ALZHEIMER'S ASSOCIATION**

The Association offers a number of programs to aid families of those with Alzheimer's disease.
Web Site: <http://www.alzaz.org>.

CENTRAL ARIZONA REGION:

Arizona Chapter
Alzheimer's Association
1028 East McDowell Rd.
Phoenix, Arizona 85005
602/528-0545

NORTHERN ARIZONA REGION:

Northern Arizona Helpline at 520/771-9377
1-800-773-7840 (outside Yavapai County)
225 Grove Avenue, Suite B
Prescott, Arizona 86301
520/771-9257

SOUTHERN ARIZONA REGION:

Southern Arizona Helpline at 1-800-425-9080
5132 East Pima Street
Tucson, Arizona 85712
520/322-6605